

**REMARKS**

Favorable reconsideration, reexamination, and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks.

**Allowable Subject Matter**

Applicant gratefully acknowledges the indication, at page 3 the Office Action, that the subject matters of Claims 3-19 (and, presumably, Claim 20 as well) are free of the prior art. By way of the foregoing amendments, Claim 3 has been placed in independent form, including the subject matters of the independent claim from which it depended and those of any intervening claims.

**Objection to the Abstract**

At page 2 of the Office Action, the Abstract was objected to because it allegedly contains objectionable words. Applicant respectfully requests reconsideration of this objection.

While the Abstract's use of the term "means" was in the colloquial sense, and not in the sense of 35 U.S.C. § 112, sixth paragraph, in an effort to expedite prosecution of the application towards passage to issue, the term has been deleted.

For at least the foregoing reasons, Applicant respectfully submits that the Abstract is not objectionable, and therefore respectfully requests withdrawal of the objection thereto.

**Objection to the Claims**

At page 2 of the Office Action, Claims 2-5 and 7-18 were objected to because they allegedly include informalities. More specifically, Claim 2 was objected to for the use of the word "each" as allegedly being grammatically incorrect, and Claim 7 was objected to because its preamble's indication that the claimed tool was 'useful' in a particular endeavor allegedly cast doubt on the grammatical structure of the claim. Applicant respectfully requests reconsideration of these objections.

Concerning Claim 2's use of "each", now in Claim 1, Applicant notes that Claim 1 is

directed to “A method of installing spiral threaded inserts . . .”, and therefore referencing “each” insert is a proper grammatical construct.

Concerning Claim 7’s indication of a ‘useful’ use of the claimed device, while Applicant strongly disagrees that the claim was grammatically suspect, in an effort to expedite prosecution Applicant has slightly revised the preamble to obviate the objection.

For at least the foregoing reasons, Applicant respectfully submits that Claims 2-5 and 7-18 are not objectionable, and therefore respectfully requests withdrawal of the objections thereto.

#### **Rejection under 35 U.S.C. § 102**

In the Office Action, beginning at page 3, Claims 1 and 2 were rejected under 35 U.S.C. § 102, as reciting subject matters that allegedly are anticipated by UK Patent No. 565,418.

Applicant respectfully requests reconsideration of this rejection.

While Applicant disagrees with the negative patentability characterizations contained in the Office Action, Applicant has elected to obviate the rejection by placing allowable Claim 3 in independent form, now Claim 1. Applicant expressly reserves the right to file one or more continuation applications to further pursue the subject matter of this application.

For at least the foregoing reasons, Applicant respectfully submits that the subject matter of Claim 1 is not anticipated by UK Patent No. 565,418, is therefore not unpatentable under 35 U.S.C. § 102, and therefore respectfully requests withdrawal of the rejection thereof under 35 U.S.C. § 102.

#### **New Claims**

New Claims 21-26 have been added. Claims 21-26 are modeled on original Claims 1-6, with the limitation that the step of securing is performed with separate securing means in the installation tool. UK Patent No. 565,418 describes a device including the tip 15 cooperating with the slot 16, and the screw thread 23 (see Fig. 4), which singly and together are not securing means *per se*, but rather are used to screw the coil 10 into the tapped hole 32. Accordingly, Applicant respectfully submits that Claims 21-26 are free of the prior art, and therefore

respectfully requests an early indication of the allowability of these claims.

### **Conclusion**

Applicant respectfully submits that the present patent application is in condition for allowance. An early indication of the allowability of this patent application is therefore respectfully solicited.

If Mr. Cozart believes that a telephone conference with the undersigned would expedite passage of this patent application to issue, he is invited to call on the number below.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. If, however, additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is hereby authorized to charge fees necessitated by this paper, and to credit all refunds and overpayments, to our Deposit Account 50-2821.

Respectfully submitted,

By<sup>1</sup>: /Adam J. Cermak/  
Adam J. Cermak  
Registration No. 40,391

**U.S. P.T.O. Customer Number 36844**  
Cermak & Kencaly LLP  
515 E. Braddock Rd., Suite B  
Alexandria, Virginia 22314

703.778.6609 (v)  
703.652.5101 (f)

Date: 9 March 2006

---

<sup>1</sup> 37 C.F.R. § 1.4(d)(3)